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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,581	07/09/2003	Colin Chee Chong Hin	70020720-1	1315

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AGILENT TECHNOLOGIES, INC.
Intellectual Property Administration
Legal Department, DL429
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EXAMINER


MOUTTET, BLAISE L

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/616,581	HIN, COLIN CHEE CHONG	
	Examiner	Art Unit	
	Blaise L Mouttet	2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 3 and 7-12 are objected to as follows:

Claims 3 and 9 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

In both claims 3 and 9 it is claimed that the marking device is caused to mark the print medium at a location depending on the determined displacement, however this is already recited in the last three lines of claim 1 for which claim 3 depends (wherein the controller is recited to perform this function) and the last three lines of claim 7 from which claim 9 depends.

Applicant is required to cancel claims 3 and 9 or amend claims 3 and 9 to place the claims in proper dependent form.

Claims 7-12 are objected to for improper syntax in claim 7, lines 2-4. The examiner suggests placing a comma between "print medium" and "to move" in line 4 of claim 7 to clarify the claim syntax.

Correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

Art Unit: 2853

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 5, 6, 7, 9, 11 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Hess et al. US 6,719,467.

Hess et al. discloses, regarding claims 1 and 3, a print mechanism comprising:

a print head assembly (figures 3a-3c) comprising a position detector (21, 22) and a marking device (52), the position detector (21, 22) comprising an imaging device (figure 9) for periodically forming an image of a portion of a print medium (105) (column 13, line 63 – column 14, line 55);

an actuator (70) for moving the print head assembly relative to the print medium in a predetermined direction (column 5, lines 4-13); and

a controller (15) for comparing first and second images formed by the imaging device at first and second times, respectively, in a time interval in which the actuator (70) has moved the print head assembly relative to the print medium and for determining a displacement of the print head assembly between the first and second times (column 14, lines 56-67), the controller (15) causing the marking device to mark the print medium at locations determined by the determined displacement while the printhead assembly is moving relative to the print medium (column 5, lines 60-67).

Hess et al. discloses, regarding claims 7 and 9, a method for printing on a print medium comprising:

causing a print head assembly (figures 3a-3c) comprising a position detector (21, 22) and a marking device (52), the position detector (21, 22) comprising an imaging

Art Unit: 2853

device (figure 9) for periodically forming an image of a portion of a print medium (105) (column 13, line 63 – column 14, line 55), to move across the print medium in a predetermined direction (column 5, lines 4-13);

comparing first and second images formed by the position detector (21, 22) at first and second times, respectively, in a time interval in which the actuator (70) has moved the print head assembly relative to the print medium and for determining a displacement of the print head assembly between the first and second times (column 14, lines 56-67); and

causing the marking device to mark the print medium at locations determined by the determined displacement while the printhead assembly is moving relative to the print medium (column 5, lines 60-67).

Regarding claims 5 and 11, the imaging device comprises a light source (102) for illuminating the print medium at an angle less than 45 degrees with respect to the surface of the print medium (column 14, lines 15-20).

Regarding claims 6 and 12, the marking device (52) comprises an ink dispensing mechanism for depositing ink droplets on the print medium (column 4, lines 35-63).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hess et al. US 6,719,467 in view of Tullis US 6,118,132.

Hess et al. discloses the subject matter of claims 1 and 7 as described in the 35 USC102 rejection above and teaches that a variety of imaging devices may be used for detecting the images (column 18, lines 21-35).

Hess et al. fails to disclose that the imaging device comprises an image sensor for generating a one-dimensional image of the print medium in a direction parallel to the predetermined direction (direction of printhead movement).

Tullis provides teachings relevant to the detection mechanisms of images on print media in inkjet printing systems (abstract, column 2, lines 5-27) and teaches that utilizing a one dimensional sensor for generating images in a direction perpendicular to media feed movement (equivalent to direction parallel to printhead movement) provides advantages of reduces computational complexity during image capture (column 9, line 57 – column 10, line 8).

It would have been obvious to a person of ordinary skill in the inkjet printing art at the time of the invention to utilize an image sensor for generating one dimensional images as suggested by Tullis in the imaging device of Hess et al.

The motivation for doing so would have been to reduce computational complexity during the image capture as suggested by column 9, line 57 – column 10, line 8 of Tullis.

Art Unit: 2853

4. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hess et al. US 6,719,467 in view of Hoshino et al. US 6,709,085.

Hess et al. discloses the subject matter of claims 1 and 7 as described in the 35 USC 102 rejection above including the limitation that the actuator (70) moves the print head assembly relative to the print medium at a speed that depends on an input signal dependent upon the determined displacement by the position detector (column 5, lines 9-13, column 5, lines 60-67).

Hess et al. fails to disclose that the input signal to the actuator is varied in response to the determined displacement so as to reduce fluctuations in speed.

Hoshino et al. discloses a self motorized inkjet printer similar to the type disclosed by Hess et al. (figures 1 and 2) in which images of the print surface are detected and an input signal to an actuator (9) moving a print head assembly is varied when the detected displacement of the printhead is outside a predetermined range so as to reduce fluctuations in the speed (column 9, lines 41-60, column 11, lines 18-30).

It would have been obvious to a person of ordinary skill in the inkjet printing art at the time of the invention to vary the input signal to the actuator of Hess et al. to reduce fluctuations of speed in response to the determined displacement as suggested by Hoshino et al.

The motivation for doing so would have been to maintain the speed of the print head assembly within a permissible range so as to avoid non-straight print lines as suggested by column 9, lines 41-60 of Hoshino et al.

Additional Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Anderson et al. GB 2,356,600 discloses utilizing a comparison being scanned images to control scanning by an inkjet printhead.

Ikeda US 6,607,260 discloses utilizing a comparison being scanned images to control printing by an inkjet printhead.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Blaise Mouttet who may be reached at telephone number (571) 272-2150. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier, Art Unit 2853, can be reached at (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Blaise Mouttet October 5, 2004

Blaise Mouttet 10/5/2004